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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,277	02/27/2002	Richard L. Petrovich	1109.0003	1178

26781 7590 08/10/2004

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EXAMINER

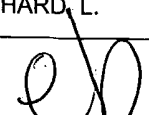
STAICOVICI, STEFAN

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/085,277	PETROVICH, RICHARD, L.	
	Examiner	Art Unit	
	Stefan Staicovici	1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 and 17-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/27/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: "Venting Insert for Subsurface Venting or Injecting in Liquid Molding".
2. The abstract of the disclosure is objected to because the abstract should refer to the invention it pertains, hence it should refer to a venting insert. Correction is required. See MPEP § 608.01(b).

Election/Restrictions

3. Applicant's election without traverse of Group III, claims 13-16 in the reply filed on May 20, 2004 is acknowledged.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Louderback *et al.* (US Patent No. 5,885,513).

Louderback *et al.* ('513) teach the claimed venting insert that is connected to a mold closure (30) including, an independent fed vent (46) that extends upwards from a circumferential resin track (S) formed an inner and outer liner (37a, 37b), a resin injection port (73) and a vacuum source to create suction (V2) (see col. 5, line 48 through col. 6, line 11; col. 6, lines 24-35 and Figure 4).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClure *et al.* (US Patent No. 6,090,335) in view of RTM Paper (Brigham Young University).

McClure *et al.* ('335) teach the basic claimed insert (44) including, an injection port (40), a circumferential resin track formed by a plurality of holes (48) about said insert (44) and a vacuum source (34) (see Figures 2 and 5).

Regarding claims 13-15, although McClure *et al.* ('335) teach a vacuum vent, McClure *et al.* ('335) does not teach an independent vent that extends upwardly from the resin track. RTM Paper (Brigham Young University) teaches that in a typical RTM process a vent sprue extends upwards from a resin track (see Figure 1). Therefore, it

would have been obvious for one of ordinary skill in the Art to have provided an independent vent that extends upwardly from the resin track as taught by RTM Paper (Brigham Young University) in the insert of McClure *et al.* ('335) because, an independent vent allows for improved process control of the resin flow front, hence decreasing wrinkles and forming an improved product.

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Louderback *et al.* (US Patent No. 5,885,513) in view of Vallier (US Patent No. 5,226,997).

Louderback *et al.* ('513) teach the basic claimed venting insert as described above.

Regarding claim 16, although Louderback *et al.* ('513) teach joining (sealing) the mold closure (30) to the outer sleeve (37a) and the inner sleeve (37b) the venting insert using mechanical fastening, Louderback *et al.* ('513) do not specifically teach an O-ring for sealing. However, the use of O-rings as a mechanical sealant is well known in the art as evidenced by Vallier ('997) who teaches the use of O-rings for maintaining an air tight seal (see col. 5, lines 3-9). Therefore, it would have been obvious for one of ordinary skill in the art to have provided an O-ring as taught by Vallier ('997) as a mechanical fastener to seal the insert of Louderback *et al.* ('513) to the mold closure because, Louderback *et al.* ('513) suggests the use of mechanical fastening, whereas Vallier ('997) specifies the use of O-rings for maintaining an air tight seal, hence providing for an improved product and also providing the means for maintaining a vacuum seal in order for the insert of

Louderback *et al.* ('513) to function as described. It is submitted that an O-ring is a mechanical sealant.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (571) 272-1208. The examiner can normally be reached on Monday-Friday 9:30 AM to 6:00 PM.

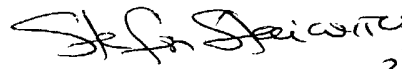
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni, can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stefan Staicovici, PhD


Primary Examiner

8/6/04

AU 1732

August 6, 2004